REMARKS/ARGUMENTS

Claims 1-15 are pending. By this Amendment, claims 1-15 are amended. Support for the amendments to claims 1-15 can be found, for example, in the present specification at page 9, lines 5 to 8, page 17, lines 6 to 25, and in original claims 1-15. No new matter is added. In view of the foregoing amendments and following remarks, reconsideration and allowance are respectfully requested.

Allowable Subject Matter

Applicants thank the Examiner for the indication in the Office Action that claims 10-14 recite allowable subject matter.

Information Disclosure Statement

The Office Action asserts that the Information Disclosure Statement (IDS) filed on March 3, 2008 did not include a Form PTO-1449. While Applicants' records indicate that such Form PTO-1449 was, in fact, submitted with the IDS, to expedite consideration of the reference cited therein, Applicants have provided herewith a copy of the missing Form PTO-1449. Applicants respectfully request that the Examiner consider of each of the cited references, indicate such consideration on the attached Form PTO-1449, and return the initialed form to the undersigned.

Rejection Under 35 U.S.C. §112, Second Paragraph

The Office Action rejects claims 1-15 as indefinite under 35 U.S.C. §112, second paragraph. By this Amendment, claims 1-15 are amended to obviate the rejection. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

Rejection Under 35 U.S.C. §103

The Office Action rejects claims 1-9 and 15 under 35 U.S.C. §103(a) over U.S. Patent No. 5,951,040 to McFarland et al. ("McFarland"). Applicants respectfully traverse the rejection.

Claim 1 recites "[a] gas generator, comprising: ignition means; a gas generating agent ignited by the ignition means to generate gas by combustion; and a housing including a gas generating agent storage chamber filled with the gas generating agent, the gas generating agent storage chamber being defined by the housing; wherein: the gas generator is configured to operate in and be held between a pair of plate members of a seat belt pretensioner apparatus, the plate members being arranged in parallel and respectively above and below the gas generator; the housing comprises a deformable area that is deformed to reduce a height of the gas generator when the gas generator is held between the pair of plate members; and the housing comprises at least one of a top plate and a bottom plate and the deformable area is provided on the at least one of the top plate and the bottom plate" (emphasis added). McFarland does not disclose or suggest such a gas generator.

As indicated above, the gas generator of claim 1 is configured to operate in a seat belt pretensioner apparatus. The Office Action asserts that claim 1 is anticipated by the gas generator of McFarland, which is configured to operate in an air bag apparatus. *See* Office Action, page 3. However, as discussed below, the respective apparatuses differ in structure.

At the outset, it should be noted that a seat belt pretensioner apparatus is designed to instantaneously wind up a seat belt upon a collision of a vehicle to eliminate slack and reduce the space between the seat belt and the passenger. To accomplish this task, a gas generator for a seat belt pretensioner apparatus needs to generate only a small amount of gas to slightly wind the seat belt. Accordingly, a gas generator for a seat belt pretensioner apparatus is provided with only a small-capacity gas generating agent storage chamber, and not other

components, such as a filter for filtering and cooling combustion gas – a gas generator for a seat belt pretensioner apparatus does not have a complicated internal structure.

By contrast, a gas generator for an air bag apparatus, as described in McFarland, generates a large amount of gas to fully inflate and expand an air bag. In comparison with a gas generator for a seat belt pretensioner apparatus, a gas generator for an air bag apparatus is provided with a very large-capacity gas generating agent storage chamber and additional components, such as a filter for filtering and cooling combustion gas to prevent the air bag from being damaged by the combustion gas. Accordingly, a gas generator for an air bag apparatus has a relatively complicated internal structure.

As a result of the different requirements of the respective devices, a gas generator for a seat belt pretensioner apparatus and a gas generator for an air bag apparatus have different housing configurations and different assembly structures for assembling the respective generators as components of a larger unit. The gas generator for a seat belt pretensioner apparatus employs an assembly structure in which a housing defining a small-capacity gas generating agent storage chamber is sandwiched between plate members provided above and below the housing. A gas generator for an air bag apparatus employs an assembly structure in which a housing defining a large-capacity gas generating agent storage chamber is adhered to a frame body or retainer using, e.g., screws. A gas generator for an air bag apparatus does not include an assembly structure in which a housing is sandwiched between plate members, as in a seat belt pretensioner apparatus.

As McFarland fails to disclose or suggest a gas generator configured to operate in and be held between a pair of plate members of a seat belt pretensioner apparatus, McFarland fails to disclose or suggest each and every feature of claim 1.

Applicants further note that the "gas generating agent" of claim 1 performs a similar function to the "inflation fluid source 140" of McFarland. The Office Action erroneously

indicates that the "ignition material 98" of McFarland corresponds to the "gas generating agent" of claim 1. *See* Office Action, page 3. The "ignition material 98" of McFarland is more accurately an enhancer that is ignited by the "ignition means 92" to combust the "inflation fluid source 140" – the "ignition material 98" does not generate gas to be released outside of the gas generator. Accordingly, the alleged deformable area of McFarland is not provided on a housing that defines a gas generating agent storage chamber, as recited in claim 1.

As McFarland fails to disclose or suggest a deformable area provided on a housing that defines a gas generating agent storage chamber, McFarland, again, fails to disclose or suggest each and every feature of claim 1.

As explained, claim 1 would not have been rendered obvious by McFarland. Claims 2-9 and 15 depend from claim 1 and, thus, also would not have been rendered obvious by McFarland. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

Conclusion

For the foregoing reasons, Applicants submit that claims 1-15 are in condition for allowance. Prompt reconsideration and allowance are respectfully requested.

Respectfully submitted,

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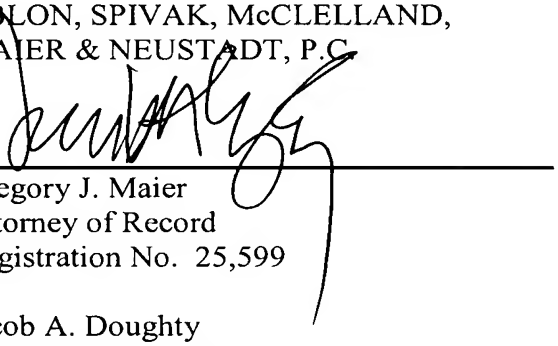

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